

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MOLLY MARTIN and LAUREN BARRY, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

CARGILL, INCORPORATED,

Defendant.

Case No. 13-cv-2563 (RHK/JJG)

**UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT,
CERTIFICATION OF
SETTLEMENT CLASS,
APPROVAL OF NOTICE PLAN,
AND SCHEDULING OF DATE
FOR FINAL FAIRNESS
HEARING**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs Molly Martin and Lauren Barry in the above-named case hereby move the Court, pursuant to Federal Rule of Civil Procedure 23(e), for the entry of an Order:

1. Preliminarily approving the Settlement;
2. Directing distribution of the notice of the proposed Settlement to the Class; and
3. Setting a schedule for the final approval process.¹

The grounds for this Motion are that the Proposed Class Settlement is within the range of being finally approved as fair, reasonable, and adequate.

This Motion is based on this Unopposed Notice of Motion and Motion for Preliminary Approval of Class Settlement, Certification of Settlement Class, Approval of Notice Plan, and Scheduling of Date for Final Fairness Hearing, the Declarations of Clayton D. Halunen, Kim E. Richman, Jeffrey D. Dahl, William P. Ogburn, Stephen Brobeck, corresponding exhibits, the attached Memorandum of Law, the pleading and papers on file in this action, and such oral and documentary evidence as may be presented at the hearing on this Motion.

¹ Cargill agrees to certification of the proposed class for settlement purposes only. Cargill has reserved all of its objections to class certification for litigation purposes, and has reserved all rights to challenge certification of a class in this case in the event final approval of the Class Settlement Agreement does not occur. Cargill, therefore, supports Plaintiffs' request that this Court preliminarily approve the nationwide class action settlement set forth in the Class Settlement Agreement, certify a settlement class, approve the form and manner of the settlement notice, and schedule a date for the final fairness hearing.

DATED: September 19, 2013

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